

#12C  
12/10/03  
A.W

## DETAILED ACTION

### *Response to RCE*

#### CONTINUED EXAMINATION UNDER 37 CFR 1.114 AFTER FINAL REJECTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

11/26/03, has been entered paper no. # 11, and office action is as follows:

2. Examiner acknowledges and entered applicants' amendment filed on 10/30/2003, paper no. # 9
3. Claims 1-6, and 8 are amended, paper no. # 9.
4. Claim 10 is added, paper no. # 9.
5. Examiner acknowledges applicants' amendment filed on 6/27/2003, paper no. 6
6. Claims 6-9 have been added, paper no. # 6.

### **Drawings**

7. The drawings filed on 08/04/2000 are approved by the Draftsperson under 37 CFR 1.84 or 1.152.

### ***Information Disclosure Statement***

8. The information disclosure statement filed on 10/11/2000, paper no. # 3, has been considered, a copy of PTO-1449 was enclosed with this office action, paper no. # 7.

### **Priority**

9. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). A certified copy of Japanese patent application No. **2000-85057** filed on 3/4/2000 has been filed in present Application No. **09/632,586**,

**EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Pursuant to MPEP 606.01 the **Title** is changed to read:

**-- A VALUE POINTS EXCHANGING MANAGING METHOD AMONG FIRST  
AND SECOND BUSINESS ENTITIES WHERE VALUE POINTS AVAILABLE TO  
ON-LINE CUSTOMER OBTAINING GOODS OR SERVICES --**

***Allowable Subject Matter***

**Reasons for indicating allowable subject matter**

The present application has been thoroughly reviewed, upon searching a variety of databases, the examiner submits that claims 1-10 are allowable in light of the applicant arguments at page 9-11, paper no. # 9 and in light of the prior art made of record.

The following is an examiner's statement of reasons for allowance:

The present invention is directed to point managing system which enables customer to effectively use valuable points without considering the term of validity by exchanging the valuable points for communication points by a preset exchange rate.

The closest prior art Horstmann et al., WO 99/03053 is directed to automated processing of business entities distributed over a network, more specifically allowing for extensive collaboration among distributed business entities and even for automatic modification of the functionality of distributed business entities [see Abstract].

Walker et al., US Patent No. 6327573 is directed to multiple party reward system utilizing single account, more specifically enabling frequent shopper reward system capable of tracking performance data of plurality of members or account holders linked to a single frequent shopper account [see Abstract]. Ng, US Patent No. 6405175 is directed to electronic commerce, more specifically customer rewards program, where consumers can be enticed to supply and correct product and price information when

rewards are offered. Rewards that are proportional to the number of other persons who use the information supplied allow for large rewards for more useful information [see Abstract, col 4, line 50-58].

However, Horstmann et al., Walker et al., Ng, US Patent No. 6405175 either singularly or in combination, fail to anticipate or render obvious the recited feature "responsive to receiving the value points, exchanging the received value points of each said second business entity for communication points according to preset exchange rates, each corresponding to a respective second business entity, whereby the exchanged for communication points become available to the customer for on-line obtaining of goods or services via the first business entity" in Claim 1, "where the exchange rate corresponds to a second business entity that previously issued the exchanging value points" in Claim 2, 4-5, "where the second business entity agrees to, upon conditions, redeem to the customer the credited non-monetary second points in exchange for any of goods or services of various types offered by the second business entity, where the first points and the second points are of types that are not fungible" in Claim 6.

These features together with the other limitations of the independent claims are novel and non-obvious over the prior art of record. The dependent claims 3,7-10 being definite, enabled by the specifications, and further limiting to the independent claim, are also allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure

- a. US Patent No. 6178408
- b. US Patent No. 6424949
- c. EP1172744A1

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srirama Channavajjala whose telephone number is (703) 308-8538. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:30 PM Eastern Time. The TC2100's Customer Service number is (703) 306-5631.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene, can be reached on (703) 305-9790. The fax phone numbers for the organization where the application or proceeding is assigned are as follows:

703/746-7238	<b>(After Final Communication)</b>
703/872-9306	<b>(Official Communications)</b>
703/746-7240	<b>(For Status inquiries, draft communication)</b>

Any inquiry of general nature or relating to the status of this application or  
proceeding should be directed to the Group receptionist whose telephone number is  
(703) 305-9600.

sc *fl*  
Patent Examiner.  
December 9, 2003.